



April 7, 2015

The Honorable Anthony R. Foxx
Secretary of Transportation
United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Shaun Donovan
Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Secretary Foxx and Administrator Donovan,

We write to you as the leaders of California's rail safety, emergency response, and resource protection agencies to request your attention to the promulgation of urgently-needed regulations to strengthen the safety of hazardous materials and/or oil-by-rail transport.

Today, California filed supplemental comments with the Pipeline and Hazardous Materials Safety Administration that highlight the critical need for the strongest possible standards for tank car safety. Since the U.S. Department of Transportation issued the proposed regulations in 2014:

- The frequency of tragic accidents has increased.
- Recent stop-gap equipment and practice improvements have proven insufficient.
- The vulnerability of communities and crucial resources, especially California's precious water resources, has become critical.
- The benefits of existing, proven technologies like thermally protected tank cars and electronically-controlled pneumatic brakes for hazardous materials unit trains, have become even clearer.

We highlight here just one potential event to underscore the massive risk our state faces. On November 25, 2014, eleven railroad cars derailed above and into the Feather River in Northern California, 50 miles above Lake Oroville. Lake Oroville is the largest reservoir in the State Water Project, serving millions of residents and farms throughout California. Similar railroad routes sit above other critical water facilities.

Notably, the Feather River Canyon is a route that carries volatile hazardous materials including Bakken crude-oil. Luckily, on that day, the derailed cars contained dried corn. A broken rail caused the derailment. The train, however, could just as easily have been a unit train carrying

hazardous materials, which would have similar tonnage and make-up as the corn train. If instead the cars had spilled crude oil, the drinking water and irrigation supply of millions would have been impacted, threatening the health and economy of the state. Given the ongoing, devastating drought in California, this is a risk we truly cannot afford. It is imperative that we reduce this risk. Stronger cars and electronically controlled pneumatic brakes can reduce the impacts when – not if – a derailment does occur.

We respectfully request your attention to ensure these critical regulations are issued as quickly as possible.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

Michael Picker, President
California Public Utilities Commission

A handwritten signature in black ink, appearing to read 'Mark S. Ghilarducci' followed by a long horizontal line.

Mark S. Ghilarducci, Director
California Governor's Office of Emergency Services